

REMARKS

The Office Action mailed January 17, 2007 considered claims 1-36 and 41-43. Claims 1-36 and 41-43 were rejected under 35 U.S.C. 102(e) as being anticipated by Carson et al. (US 2004/0093326) hereinafter *Carson*.¹

By this amendment claims 1, 16, 17, 19, 27, 28, 36 and 41 have been amended.² Claims 37-40 were previously cancelled. Accordingly, claims 1-36 and 41-43 are pending, of which claims 1, 17, 28 and 41 are the only independent claims at issue.

The present invention is generally directed to obtaining taxonomy information for one or more nodes in a taxonomy. For example, claim 1 defines receiving a request for taxonomy-related information, the request including a first key representing identification data identifying a node within the taxonomy and a second key representing relationship data identifying a plurality of specified relationships a node is to have with the identified node. Next, claim 1 defines extracting the first key representing the identification data and the second key representing the relationship data from the request. Next, claim 1 defines querying one or more databases using the first key in accordance with the identification data and the second key in accordance with the relationship data to obtain taxonomy-related information for any nodes having at least one of the plurality of specified relationships with the identified node, the taxonomy-related information being presentable in hierarchical format, the hierarchy being based on the node's relationship with other nodes in the taxonomy, the nodes of each database comprising at least one of a plurality of root nodes. Lastly, claim 1 defines receiving taxonomy-related information having at least one identifier that corresponds to a node having at least one of the plurality of specified relationships with the identified node in response to the query

Claims 17 is a method claim similar to claim 1, but from the perspective of a client. Claim 28 is a system claim similar to claim 1. Claim 41 is a system claim corresponding to claim 1. Applicants respectfully submit that the cited art of record does not anticipate or otherwise

¹ Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² Support for the amendments to the claims are found throughout the specification and previously presented claims, including but not limited to paragraphs [0009], [0012], [0033], [0035]-[0037], [0042], [0047], [0055], [0058] and Figures 3 & 5.

render the amended claims unpatentable for at least the reason that the cited art does not disclose, suggest, or enable each and every element of these claims.

Carson describes providing a taxonomy for mobile electronic services (MES's). *Carson* notes that, from a client's perspective, MES providers often appear and disappear at random intervals (for example, as a client is traveling in and out of wireless service cells). Thus, the availability of e-services can change frequently (par. [0009]). *Carson* describes a system for a taxonomy to describe MES's using a tree structure for organizing descriptive characteristics of the MES (par. [0010]). *Carson* further describes a method for searching MES's by searching each category of MES's (par. [0011]). *Carson's* described system can also classify MES's by assigning designators to each category of MES (par. [0012]).

Carson fails, however, to teach or suggest receiving a request for taxonomy-related information, the request including a first key representing identification data identifying a node within the taxonomy and a second key representing relationship data identifying a plurality of specified relationships a node is to have with the identified node, as recited in claim 1. *Carson* also fails to teach or suggest querying one or more databases using the first key in accordance with the identification data and the second key in accordance with the relationship data to obtain taxonomy-related information for any nodes having at least one of the plurality of specified relationships with the identified node, the taxonomy-related information being presentable in hierarchical format, the hierarchy being based on the node's relationship with other nodes in the taxonomy, the nodes of each database comprising at least one of a plurality of root nodes, as recited in claim 1.

Lastly, *Carson* fails to teach or suggest presenting information about at least a portion of the taxonomy in hierarchical format, the hierarchy being based on the node's relationship with other nodes in the taxonomy, including the received response to the computer user, the information based on the identification information and based on the relationship information in the response, as recited in claim 17. At least for any of the above reasons, claim 1 patentably defines over the art of record. At least for any of the above reasons, claims 17, 28 and 41 also patentably define over the art of record. Since each of the dependent claims depend from one of claims 1, 17, 28 and 41, each of the dependent claims also patentably define over the art of record for at least any of the above reasons.

Claims 1-27 and 41 were objected to because of the following informalities: All dependant claims must be consistent with new changes made with respect to their independent claims, for example, claim 1 states "act of" while claim 2 only refers to "returning". Claim 14 appears to have a mistake showing "4" in line 2. Claim 41 appears to have mistake in form of "the a node" in line 13. Claims 36 recites the word "for" in the body of the claims. It indicates intended use and as such does not carry patentable weight. The word could be changed to recite "to". Claims 17, 41 recites, "may be". Claims 1 and 17 has been amended to no longer recite "an act of." Claim 14 has been amended to omit the "4" in line 2. Claim 41 has been amended to remove the minor grammatical informality. Claim 36 has been amended to no longer recite the word "for" and now recites the word "to." Claims 17 and 41 have been amended to no longer recite the phrase "may be." Thus, Applicants respectfully request that the objections to claims 1-27 and 41 be withdrawn.

Claims 1, 17, 28 and 41 were rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Claims 1, 17, 28 and 41 have been amended to no longer recite "for" in the preamble. Thus, Applicants respectfully request that the 35 U.S.C. § 101 rejection of claims 1, 17, 28 and 41 be withdrawn.

Claims 1, 16, 17, 19, 27, 28 and 41 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 17, 28 and 41 have been amended to no longer recite "or" in the claim language. Furthermore, claims 16, 19 and 27 have been amended to no longer recite the phrase "operable to." Thus, Applicants respectfully request that the 35 U.S.C. § 112 rejections to claims 1, 16, 17, 19, 27, 28 and 41 be withdrawn.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner

provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 17th day of April, 2007.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R D Nydegger", written in a cursive style.

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